

**REMARKS**

Claims 2 and 5-38 are all of the claims presently pending in the application. Claims 2, 5-17, 19, 20, 25 and 35-38 have been amended to more particularly define the invention. Claims 1, 3 and 4 have been canceled without prejudice or disclaimer.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1, 2, 5-35 and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freedman (U.S. Patent No. 4,839,829) in view of Mandler et al. (U.S. Patent No. 5,732,400; hereinafter "Mandler"). Claims 3, 4, 36 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freedman in view of Mandler, and further in view of Mori (U.S. Patent No. 6,089,765).

**I. THE CLAIMED INVENTION**

The claimed invention, of exemplary claim 1, provides a printing pictures production system wherein the image data stored in the image data storing unit is deleted when the term expires (see e.g., Application at page 20, lines 24-25). This allows the claimed invention to provide a printing pictures production system capable of preventing monetary damages to shops due to customers failing to pay for services (see Application at page 2, lines 7-27).

## **II. THE PRIOR ART REFERENCES**

### **A. The Freedman and Mandler References**

Applicants respectfully submit that the alleged combination of Freedman and Mandler does not teach or suggest (nor make obvious) each and every feature of the claimed invention.

That is, neither Freedman nor Mandler, nor any combination thereof, teaches or suggests “*wherein said image data stored in the image data storing unit is deleted when the term expires*”, as recited in claims 17, 19, 20, 24 and 35-38.

Indeed, the Examiner does not even allege that the combination of Freedman and Mandler teaches or suggests this feature.

### **B. The Mori Reference**

The Examiner alleges that Mori would have been combined with Freedman and Mandler to teach the claimed invention of claims 3, 4, 36 and 37. Applicants respectfully submit, however, that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

That is, neither Freedman, nor Mandler nor Mori, nor any combination thereof, teaches or suggests “*wherein said image data stored in the image data storing unit is deleted when the term expires*”, as recited in claims 17, 19, 20, 24 and 35-38.

Indeed, as indicated in section A above, the alleged combination of Freedman and Mandler does not teach or suggest this feature. Furthermore, Applicants submit that Mori does not make up the deficiencies of Freedman and Mandler.

The Examiner attempts to rely on Figure 1, column 2, lines 60-67, column 3, line 60 through column 4, line 15 and column 11, lines 18-31 of Mori to support his allegations. The Examiner, however, is clearly incorrect.

That is, nowhere in this figure nor these passages (nor anywhere else for that matter) does Mori teach or suggest a printing pictures production system wherein the image data stored in the image data storing unit is deleted when the term expires. Indeed, the Examiner merely alleges that Mori teaches an order information storing having order expiry date information defining a term to store order information (see Office Action dated March 27, 2006 at page 9).

A “print data memory 44” shown in Figure 3 of Mori is merely a buffer provided in a printer. The print data memory 44 prints out all of a print data stored therein.

In stark contrast, the order information storing unit (e.g., as defined in exemplary claim 36) and the image data storing unit (e.g., as defined in exemplary claim 37), do not print out data regarding customers having a risk (e.g., for customers who do not come to collect the ordered pictures). Thus, a concept of the claimed invention is quite different from that of Mori.

Additionally, as recited in the claimed invention, and disclosed in the specification at page 20 line 24 through page 21, line 3, the data stored in the storing unit is deleted when the term expires. This feature of the claimed invention is quite different from the print data memory of Mori.

Thus, Mori fails to make-up the deficiencies of Freedman and Mandler.

Therefore, Applicants respectfully submit that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

### III. FORMAL MATTERS AND CONCLUSION

With respect to the Examiner's objections, the Abstract and the claims have been amended as provided above.

In view of the foregoing, Applicants submit that claims 2 and 5-38, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: June 27, 2006

Respectfully Submitted,



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